

REMARKS

In view of the preceding amendments and the comments which follow, and pursuant to 37 C.F.R. § 1.111, amendment and reconsideration of the Official Action of September 14, 2004 is respectfully requested by Applicants.

Summary

Claims 1 – 41 stand subject to a restriction requirement. Claim 42 was previously added, and is thus also subject to the restriction requirement. Claims 31- 33 and 36 – 38 have been cancelled. Claims 1 – 30, 34, 35 and 39 – 42 are pending following entry of the present remarks.

Restriction/Election

Pursuant to the election/restriction requirement set by the Examiner, Applicant has herein elected Claims 1 – 30, 34, 35 and 39 – 42, which are drawn to magnetic detecting element. Applicants submit that the above elected claims are directed to a single patentably distinct invention and have accordingly elected the corresponding Group I of claims, as required by the Examiner.

The two inventions being subject to the restriction are defined as follows:

Invention I relates to a magnetic detecting element or a known/nominal method of making a magnetic detecting element, and

Invention II relates to a non-nominal method of making a magnetic detecting element using annealing or sputtering.

Further, Applicants has elected, with traverse, as required under 35 U.S.C. 121 one single disclosed species, namely Species A, from the following two (2) species on the merits to which the claims shall be restricted:

A) A current limiting layer comprising conductive particles in an insulating matrix.

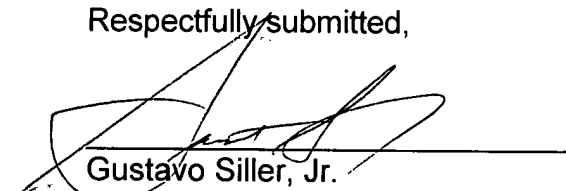
B) A current limiting layer comprising insulating particles in a conductive matrix.

Accordingly, Claims 1 – 22, 24 – 30, 34, 35 and 39 – 42 are generic and Claims 1 – 22, 24 – 30, 34, 35 and 39 – 42 are hereby being identified with Species A.

Conclusion

Therefore, in view of the above amendment and remarks, Applicants respectfully submit that this application is in condition for allowance and such action is earnestly requested. Applicants submit that a two-month extension is due and a corresponding check is enclosed. If for any reason, however, the Examiner feels that a telephone interview would be helpful in resolving any remaining issues the Examiner is respectfully requested to contact Applicant's undersigned attorney.

Respectfully submitted,



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